

# **Exhibit D**



HON. ROBERT P. CONTILLO, P.J.CH.  
SUPERIOR COURT OF NEW JERSEY

BERGEN COUNTY JUSTICE CENTER  
10 MAIN STREET, HACKENSACK, NJ 07601  
PHONE - (201) 527-2615 FAX - (201) 371-1117

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FACSIMILE TRANSMITTAL SHEET

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TO	FROM:
Andrew Schwartz – 973-643-6500	Hon. Robert P. Contillo, P.J.Ch.
Donald Enright – 202-333-2121	DATE:
Evan Smith – 610-667-9029	9/5/2012
Adam Saltzman – 646-728-2966	

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TOTAL NO. OF PAGES INCLUDING COVER: 7

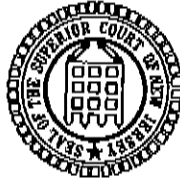
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RE: Wilkinson v. LePore  
Docket No. C-229-12

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## SUPERIOR COURT OF NEW JERSEY

ROBERT P. CONTILLO, P.J.Ch.  
CHANCERY DIVISION



BERGEN COUNTY JUSTICE CENTER  
HACKENSACK, N.J. 07601  
(201) 527-2615

September 5, 2012

**VIA FACSIMILE**

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Re: Wilkinson, et al. v. LePore, et al.  
Docket No. BER-C-229-12

Ferria v. Par Pharmaceutical Companies, Inc., et al.  
Docket No. BER-C-263-12  
(Formerly BER-L-6305-12)

Counsel:

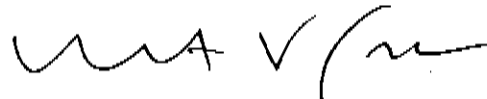
I enclose a copy of the (August 31, 2012) Order of the Hon. Robert L. Polifroni,  
Presiding Judge of the Civil Division, transferring by consent the above-referenced Law

Division action to the Chancery Division, That case has been assigned Docket No. BER-C-229-12.

I also enclose a Consolidation Order, consolidating the two Chancery cases. I have modified the provisions in the proposed Order faxed over by Mr. Schwartz on August 31, 2012, to accommodate our procedures

If I have failed to provide a copy of this letter and the two (2) Orders to any attorney of record in the now consolidated cases, please so advise me.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'RPC', followed by a checkmark and a flourish.

Robert P. Contillo, P.J.Ch.

RPC:mgm  
Enclosure

**FILED**

AUG 31 2012

Robert L. Polifroni  
P.J.Cv.

This Order is prepared and filed by the Court

Robert Femia,

Plaintiff(s),

v.

Par Pharmaceutical Companies, et al,

Defendant(s).

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: BERGEN COUNTY

DOCKET NO.: BER-L-6305-12

*C-263-12*

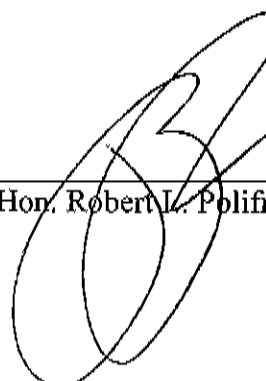
**ORDER OF TRANSFER  
TO CHANCERY DIVISION**

The Complaint in the instant matter having been filed on August 14, 2012, and a review of the file having occurred, and the court, *sua sponte*, having determined the matter properly reposes in the Chancery Division, and the court having determined the transfer to the Chancery Division is appropriate as the relief sought is primarily equitable in nature,

*IT IS* on this 31<sup>st</sup> day of August, 2012,

**ORDERED** that this matter is hereby transferred to the Superior Court of New Jersey, Chancery Division, Bergen County.

Hon. Robert L. Polifroni, P.J.Cv.



**FILED**

**SEP -5 2012**

**Robert P. Contillo  
P.J.Ch.**

Prepared by the Court

JACK E. WILKINSON, individually  
and on behalf of all others similarly  
situated,

*Plaintiff(s),*

vs.

PATRICK G. LEPORE, JOSEPH E.  
SMITH, PETER S. KNIGHT,  
RONALD M. NORDMANN,  
THOMAS P. RICE, MELVIN  
SHAROKY, PATRICK J. ZENNER,  
PAR PHARMACEUTICAL  
COMPANIES INC., TPG CAPITAL  
L.P., SKY GROWTH HOLDINGS  
CORPORATION, and SKY GROWTH  
ACQUISITION CORPORATION,

*Defendant(s).*

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION:GENERAL  
EQUITY

DOCKET NO. C-229-12

**CIVIL ACTION**

**ORDER**

ROBERT FEMIA, on behalf of himself  
and all others similarly situated,

*Plaintiff(s),*

vs.

PAR PHARMACEUTICAL  
COMPANIES, INC., TPG CAPITAL,  
L.P., PATRICK G. LEPORE, JOSEPH  
E. SMITH, PETER S. KNIGHT,  
RONALD M. NORDMANN,  
THOMAS P. RICE, MELVIN  
SHAROKY, PATRICK J. ZENNER,  
SKY GROWTH HOLDINGS  
CORPORATION, and SKY GROWTH  
ACQUISITION CORPORATION,

*Defendant(s).*

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION:GENERAL  
EQUITY

DOCKET NO. C-263-12

**CIVIL ACTION**

**ORDER**

The parties hereto stipulate and agree as follows:

It appearing that the above captioned actions involve the same subject matter, and that the administration of justice would be best served by consolidating the actions;

IT IS THIS 5<sup>th</sup> day of September, 2012

**ORDERED** as follows:

1. The above captioned actions shall be consolidated for all purposes.
2. Hereafter, papers shall be filed with the dual captions referenced above.
3. Jack E. Wilkinson and Robert Femia are hereby designated as Co-Lead Plaintiffs in the Consolidated Actions.
4. The law firms of Levi & Korsinsky, LLP, 1101 30<sup>th</sup> Street, N.W., Suite 115, Washington, D.C. 2007 and Wolf Popper LLP, 845 Third Avenue, 12<sup>th</sup> Floor, New York, New York 10022, are hereby designated as Co-Lead Counsel for Plaintiffs in the Consolidated Action. Plaintiffs' Co-Lead Counsel shall set policy for Plaintiffs for the prosecution of this litigation, delegate and monitor the work performed by Plaintiffs' attorneys to ensure that there is no duplication of effort or unnecessary expense, and shall assume the traditional powers and responsibilities of co-lead counsel, including conducting any and all settlement negotiations with counsel for the defendants.
5. The law firm of Brodsky & Smith, LLC, 1030 Kings Highway North, Suite 601, Cherry Hill, NJ 08034 is hereby designated as Plaintiffs' Liaison Counsel.

6. All documents previously filed to date in any of the cases consolidated herein are deemed a part of the record in the Consolidated Action. Responsive pleadings shall be filed in the ordinary course absent consent of counsel to the contrary.
7. This Order shall apply to this Consolidated Action and any future-filed or subsequently-transferred actions relating to the subject matter of this case. When a case that properly belongs as part of the Consolidated Action is hereafter filed in the court or transferred here from another court, this court requests the assistance of counsel in calling to the attention of the court the filing or transfer of any case which might properly be consolidated as part of the Consolidated Action, and counsel are to assist in assuring that counsel in subsequent actions receive notice of this Order. Each new case which arises out of the subject matter of this action that is filed in this court or transferred to this court shall be consolidated with this action and this Order shall apply thereto, unless a party objecting to this Order or any provision of this Order shall, within ten (10) days after the date upon which a copy of this Order is served on counsel for such party, file an application for relief from this Order or any provision herein and this court deems it appropriate to grant such application.

  
ROBERT P. CONTILLO, P.J.Ch.